

ATTN: Deborah Dotson TC 1400

PTO-2053-B (Rev. 10/03)

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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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In re Application of:

Richard ARMITAGE et al

Application No.:

09/322,021

Filing Date:

May 28, 1999

Title:

MONOCLONAL ANTIBODIES TO CD40 LIGAND...

Direct to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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NOTICE UNDER 37 CFR 1.251 - Pending Application

TECH CENTER 1600/2900

Statement (check the appropriate box):

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

12/6/05

Signature

Gordon Kit

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Richard ARMITAGE et al

Conf. No.: **7400**

Appln. No.: **09/322,021**

Group Art Unit: **1644**

Filed: **May 28, 1999**

Examiner: **Gambel, P.**

For: **MONOCLONAL ANTIBODIES TO CD40 LIGAND,
PHARMACEUTICAL COMPOSITION COMPRISING
SAME AND HYBRIDOMAS PRODUCING THE SAME**

**RESPONSE TO NOTICE UNDER
37 C.F.R. 1.251 - Pending Application**

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Attn: Deborah Dotson (TC 1600)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice Under 37 C.F.R. 1.215 - Pending Application" dated October 26, 2005, for which response is due on or before January 26, 2006, wherein the U.S. Patent and Trademark Office requests that Applicants provide a copy and record of all correspondence between the U.S. Patent and Trademark Office and Applicants for the above-identified application, Applicants submit herewith the following listed documents, with each filing accompanied by its respective date-stamped mailroom receipt therefor:

- (1) Letter to Commissioner (with date-stamped mailroom receipt therefor) accompanied by the Preliminary Amendment (with ATCC Deposit receipt), Information Disclosure Statement, Statement in Support of Submission (along with paper copy of Sequence Listing), and a complete copy of the application entitled "Novel Cytokine

RESPONSE TO NOTICE

UNDER 37 C.F.R. 1.251

U.S. Appln. No. 09/322,021

That Binds CD40" (with Figures 1-19) filed May 28, 1999;

- (2) Official Filing Receipt dated June 24, 1999;
- (3) Notice to File Missing Parts of Application - Filing Date Granted dated June 28, 1999;
- (4) Submission of Missing Parts of Application (with date-stamped mailroom receipt therefore), along with Declaration and Power of Attorney filed July 9, 1999;
- (5) Corrected Official Filing Receipt dated July 14, 1999;
- (6) U.S. Patent and Trademark Office Communication (Suspension of Prosecution) dated September 28, 2000 (Paper No. 8);
- (7) Corrected Official Filing Receipt dated November 12, 1999;
- (8) Associate Power of Attorney (with date-stamped mailroom receipt therefor) filed December 1, 1999;
- (9) Corrected Official Filing Receipt dated August 21, 2000;
- (10) Submission of Statement of Availability (submitted via facsimile), along with Statement of Availability (accompanied by ATCC deposit receipt) dated September 20, 2000;
- (11) Notice Declaring Interference (37 C.F.R. § 1.611) dated June 29, 2001; and
- (12) Interference Decision on Priority (Judgment) dated October 28, 2002.

**RESPONSE TO NOTICE
UNDER 37 C.F.R. 1.251
U.S. Appln. No. 09/322,021**

Also provided herewith, is a copy of each of the below-listed documents involving the above-identified application in Interference No. 104,724:

- (13) Request for Clarification and for Reconsideration of Judgment on Preliminary Motions dated February 21, 2003;
- (14) Order for Telephone Conference to Set Times for Priority Phase dated April 16, 2003; and
- (14) Order Entering Final Judgment Against Noelle dated May 15, 2003; and
- (15) Decision on Noelle Request for Reconsideration dated July 3, 2003.

Applicants hereby state that the copied documents submitted with this reply is a complete and accurate copy of Applicants' record of all of the correspondence between the U.S. Patent and Trademark Office and Applicants for the above-identified application.

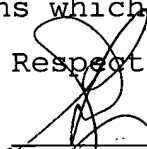
Applicants respectfully submit that they are not aware of any additional correspondence between the U.S. Patent and Trademark Office and Applicants for the above-identified application that is not among Applicants' record.

The Examiner is invited to contact the undersigned at the below-listed number on any questions which might remain.

Respectfully submitted,

SUGHRUE MION, PLLC

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Gordon Kit
Registration No. 30,764

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 6, 2005